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Developing Legislator Education Strategies for the Montana Legislative Council

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November 1999

Background

In late summer, 1999, the Legislative Council identified the need for improved legislator education as the second-most important long-range issue for the Legislative Council to address. As a strategic issue, the Council portrayed the matter thus:

1. *What is the issue?*

Can the council develop a training program for new legislators to prepare for session and for constituent services? Because of term limits, how can new members be educated?

2. *Why is this an issue?*

There is a need to get legislators on board as fast as possible, especially with term limits. The Council's leadership mission aimed at efficient operation and improvement of the branch combines with threats of expanding power in executive and lobbying areas.

3. *What are the consequences of not addressing this issue?*

Legislators not trained and knowledgeable about system. Balance among the three branches of government. [Note: in discussing this issue, the Boys' State training model was mentioned and could be a part of a strategy to address this issue.] Loss of an opportunity for Council effectiveness and erosion of legislator effectiveness in the constituent service (representational) aspects of the legislator's role.

4. *How will the Council develop strategies for this issue?* The Council asked staff to develop a report detailing legislator training approaches taken in the past and in other states. This information will be used to design programs to develop strategies to help develop legislator skills more quickly.

Discussion

1. Introduction

The purpose of this paper is to fulfill the Legislative Council request to detail legislator training approaches taken in the past in Montana and to report on what is done in other states. In addition, ideas for strategies that could be undertaken are included.

2. Approaches taken in the past. For the most part, the means of training Montana legislators in the past have included a sort of sink or swim approach, leadership run orientations to floor sessions, caucus based training, and occasional efforts at full orientation programs. There has been no one consistent approach.

a. Orientations in Montana

During the mid 1970's, the Montana Legislature followed the suggestions of national initiatives aimed at strengthening state legislatures in several areas including the development of formal orientation sessions. These were held in conjunction with the organizational caucuses at the Colonial Hotel in Helena. By the end of the decade, however, the Legislative Council decided not to sponsor orientations believing new members should learn from senior members over the course of their service rather than through formal training. From then until now, efforts at orientation have been sporadic. (The only legacy of the 70's efforts is the legislators' handbook, which has been updated on a regular basis since.)

The Legislative Council and private groups attempted to resurrect orientation in subsequent years. One idea discussed by the Legislative Council was to run an "orientation fair" where booths and displays would support members self-selecting what they wanted to learn in a fun social environment. The only thing that came of it was a couple of years of staff preparing displays of interim committee work.

In 1994, a private group designed and presented a day long orientation session endorsed (and nominally sponsored) by the Legislative Council. The agenda for this daylong session included discussion of legislative process, bill drafting, how a bill becomes a law; structure and functions of legislative agencies; statesmanship, public trust, and the role of the legislator; overview of state revenue sources and the fiscal note process; budgeting and appropriations, overview of the state budget, and how to use budget related documents; and the role of the media. The session was well-received, and the Legislative Council offered a bill to assign permanent responsibility for organizing a similar orientation session in the future. Lack of subsequent support by the legislature was evidenced in the killing of the bill, which doomed that experiment from being repeated.

Since then, leadership has arranged two-hour sessions primarily for new legislators covering basic administrative issues, introduction to staff services, and introduction to the state budget. These sessions have been organized by the Executive Director of the Legislative Services Division and presented primarily by him and other legislative staff. Following the presentations, senior legislators have provided tours of the Capitol.

- b. Floor procedures. Training members on the orders of business and related floor procedures was at one time a regular part of the training legislative leadership offered to new legislators. Recently, neither the House nor Senate has done this. There are, however, scripts that have been used to train staff in managing these processes that could be used as a basis for this kind of training.
- c. Caucus-based training. Some training has been done by the separate caucuses. One thing in particular has been training on duties of the Chairman of the Day for Committee of the Whole. Other times, there has been discussion of procedures in Committee of the Whole.
- d. Other. From time-to-time other efforts have been pursued. Training on substantive issues was organized by Rep. Sonny Hanson several sessions ago. There may have been efforts at assigning sponsors to mentor new members. Many of these activities are done on an informal basis and are not well documented or known.

3. Other state experiences

Most information related to legislator education is focused on orientation programs. Other states in the West provide a sufficiently rich variety of examples of different ways of doing orientation that information from them should suffice for the example. CSG West compiled and analyzed Western States New Legislator Orientation Programs that were operated in 1998 and 1999 for a seminar conducted by and for the Western Legislative Agency Directors and Research Directors held October 14-16, 1999. The document is included as an appendix to this report. Colleagues reported at the meeting that orientation sessions are well accepted and perceived as valuable throughout the states that conduct them. Legislators have liked the concept of breaking the sessions up into several small segments to get away from the phenomenon of information overload that some describe as "like drinking from a fire hose." For most of the states, participation is voluntary and non reimbursed.

4. Other current initiatives

- a. Law School for Legislators. The State Bar of Montana has formed a committee to develop the concept of a "Law School for Legislators" that could be incorporated into an orientation package. The Bar believes an appropriately presented curriculum could aid legislators in understanding and interacting with the law. Details are being worked out.
- b. Information technology. The State Information Technology Managers Council (ITMC) has identified a need to provide legislators with more information on the systems the state uses for computing and communicating information. As the size, complexity, cost of and dependency on, these systems increases, they believe legislators and other policymakers

need good information to help them understand the implications of decisions they are asked to make. They are planning to provide more education to policymakers, including, perhaps, a quarterly newsletter. The Rotunda is reserved for January 2001 for IT demonstrations with a theme of technology providing services to citizens. ITMC members will seek the endorsement of agency directors identifying which applications will be demonstrated.

Outline of Legislator Education Strategies for the Montana Legislature

Nearly all the discussion of legislator education focuses either on the idea of orientation for new legislators or specific sessions focused on some current policy area. For strategic planning purposes, however, a broader view should be more useful, even if not reflected in actual practice anywhere. Such a view would encompass a continuum of educational opportunities from early candidacy or even before that through advanced opportunities later in a legislator's career. All this is to invite thought, discussion, and ultimately decisions on how to best meet the needs of improving education for new legislators throughout their legislative experience.

1. People wanting to run for the legislature or those who are already declared candidates often have great misunderstandings of the job of a legislator. While bordering on the public education needs identified in the Council's first priority issue, strategies to help improve the knowledge of people about to make or who have just made the plunge into the legislative candidate pool could be of value.
 - a. Strategy: Develop a brochure specifically designed to help a potential or declared candidate understand the job of a legislator and the costs and benefits of doing that job throughout the term. This could be a pared down version of the Legislator Handbook with information aimed at what a person should expect generally in the area of lifestyle demands and so on.
2. New legislator orientation. Once elected, new legislators can make good use of well-designed orientation and mentoring.
 - a. Strategy: Implement one or more orientation sessions covering any of the wide range of issues identified as useful for the legislature.
 - b. Strategy: Design mock sessions for standard floor sessions, committee of the whole, and standing committee meetings and present them as a part of or separate from the orientation sessions.
 - c. Strategy: Work with groups like the state bar to help design and incorporate ideas such as the "Law School for Legislators" into an overall orientation program.
 - d. Develop a formal process for assigning new legislators to experienced legislators who will "teach them the ropes." Prepare guidelines to help the mentors with ideas as to the minimum knowledge they are expected to impart.

3. Continuing education. Legislators will now have at most four sessions to master the rules and procedures and to apply leadership skills effectively to run the legislature. What must be known to do this can most effectively be passed on through a variety of formalized educational opportunities.
 - a. Strategy: Devise and deliver a curriculum designed to teach the rules of the legislature at an advanced level specifically to enhance the knowledge and ability of members to assume the responsibilities of presiding over committees as well as the entire body.
 - b. Strategy: Take advantage of legislator training opportunities offered by the National Conference of State Legislatures, the Council of State Governments, and other like organizations. Many of these are offered on a regular basis making it feasible to adopt a planned approach as to how many members would be supported in availing themselves of these opportunities.

Conclusion

This preliminary paper has outlined a number of potential strategies to meet the Legislative Council's concern about how legislators can more quickly become prepared to function effectively in a term-limits environment. Certainly committee members and other interested persons may and should add more ideas to these. Fulfilling the strategies will require dedication, hard work, and resources of time (staff and legislator time alike). Because the time resource is so limited, establishing clear priorities will be important.

Regardless of the fact that fulfillment of these strategies will entail significant effort, its importance is embodied in the following statement paraphrased from comments made by Oklahoma legislator Patrick B. Gaines: The legislature is the history and the heritage of a state. It is generations of individuals bringing together the ideas of people from Alzada to Yaak. It is an opportunity for people from Missoula to learn of the struggles of the farmer. This can only be done by the new learning from the old. The long-term danger may be a legislature unknowledgeable of the past.

Appendix: [Western States New Legislator Orientation Programs 1998-1999](#)